



Attorney General's Task Force on Victims' Rights Enforcement
Meeting Minutes
July 29, 2019; 1:30 to 3:00 pm
DPSST Board Room

Committee:	<u>Task Force on Victims' Rights Enforcement</u>
Attendees:	Hon. Brad Berry, Debra Bridges, Alison Bort, Dana Vidoni Carelle, Rhea DuMont, Jeff Howes,
Phone Attendees:	Rosemary Brewer, Marc Brown, Kimberly Dailey, Chanpone Sinlapasai-Okamura, John Stein
Guests:	
CVSSD Staff Attendees:	Stephanie Hoskins, Helen O'Brien, Sherree Rodriguez, Shannon Sivell

Welcome

Minutes – The group approved the minutes from the January meeting.

Discussion

New Best Practice Document on Right to Proper Notice – Helen O'Brien and Rosemary Brewer

The Task Force reviewed a draft document, "Honoring a Victim's Right to Information About Defendant", and asked the group for input. The purpose of the paper is to clarify confusion about what information related to a defendant's criminal history the victim is to receive and who will provide it to them. The group requested a formatting modification. There was a discussion about pertinent details and constitutional requirements surrounding this issue. Helen will apply the suggested changes, and further edit the document for future review.

Victims' Rights Bench Card Best Practice Document – Kimberly Dailey

OJD has been working to organize the bench cards, created in the task force sub-group, into a two-page format that is in compliance with OJD standards. The process has slowed down due to legislative session, but is now a priority to complete. Kimberly will report back to the group at a future meeting.

No Contact Order/GEI – Alison Bort

In February, 2017, the Psychiatric Security Review Board (PSRB) published Best Practices: Prevention of Pre and Post Trial Victim Contact. The memo recommended DAs add a no contact provision in a GEI (Guilty Except Insane) order where the victim expressed they wanted no contact. This practice has had the unintentional impact of making it a challenge for victims to reinstate contact with GEI clients who are placed at the Oregon State Hospital. The PSRB's authority to modify a no contact provision while a GEI client is placed at the Oregon State Hospital is not clear. In response, Alison Bort, Executive Director for PSRB, drafted a companion memorandum entitled Best Practices: Post-Trial Modification of a GEI (*guilty except for insanity*) "No Victim-Contact" Provision. The goal of this companion memo is to clarify how a victim can go about reinstating contact with the GEI client. The Task Force recommended a



solution of including language in the GEI order that allows a victim to request in writing to have contact with the hospital client. Shannon Sivell will assist Alison with drafting the appropriate language.

Senate Bill 1008: Measure 11 Reform – Hon. Brad Berry

Senate Bill 1008, recently passed in the legislative session eliminates the automatic remand of 15, 16 and 17 year olds for Measure 11 crimes. It now requires a waiver hearing to forward them into adult court; victims have the right to be notified of and heard at these hearings.

- CVSSD in consultation with DAVAPs and community-based victim service providers will draft model policies regarding victim notification.

Juvenile Justice Subcommittee – Dana Vidoni Carelle

Oregon Juvenile Department Directors Association and Oregon Youth Authority are meeting monthly to discuss the process and procedures for the new waiver hearings that will happen when the Measure 11 reform related to SB 1008 goes into effect in January, 2020. Subcommittees will form from the larger group to discuss these changes and procedures.

Post-Conviction Subcommittee – Helen O'Brien

A community corrections advocate network (CCAN) has been established. While group members from CCAN will continue to participate in the Post-Conviction Advocate Network, they are a separate entity for purposes of supporting legislative proposals when requested by Oregon Association of Community Corrections Directors.

The Post-Conviction tool kit is now available on the Department of Justice website.

Updates and Goals: Task Force and Subcommittees

Immigrant Crime Victims' Rights – Chanpone Sinlapasai

The U Visa legislation has been approved and signed. The subcommittee is working to spread the word to all investigating agencies. They are in the planning phase, with Oregon State Bar, of developing educational videos for the community. Once everything is in place, they will share it with the group.

Meeting adjourned at 3:00 pm

Next Meeting - October 28 - DPSST